



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 053969/0130

Applicant: Ken KASAGI
Title: SHORT RANGE RADIO CONTINUOUS COMMUNICATION
METHOD AND SYSTEM
Serial No. 09/975,004
Filed: October 12, 2001
Examiner: Unknown
Art Unit: 2681

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**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO-SB08 is a list of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any documents which is determined to be a prima facie prior art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is believed to be filed in accordance with 37 C.F.R. 1.97(b), prior to the mailing date of a first Office Action on the merits (first scenario). If that is not the case, such as in a second scenario in which a first Office Action on the merits has been mailed before the filing of the instant Information Disclosure Statement, then either a certification or fee is required, and a certification is provided below. If neither of the first or second scenarios is the case, such as if a final Office Action or a notice of allowance has been mailed by the PTO (third scenario), then both a certification and fee are required, and in that case a certification is provided below and also the PTO is authorized to obtain the necessary fee to have the instant IDS considered, from Foley & Lardner Deposit Account #19-0741.

CERTIFICATION

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

RELEVANCE OF EACH DOCUMENT

A translation of a portion of a Japanese Office Action that issued September 24, 2003 with respect to a counterpart Japanese patent application is provided below.

- "1. Japanese Unexamined Patent Application Publication H11-288472
2. Japanese Unexamined Patent Application Publication H09-238104
3. Japanese Unexamined Patent Application Publication 2000-253449
4. Japanese Unexamined Patent Application Publication 2000-115055

(Regarding Claims 1 to 6)

Described in regard to Figure 1 of Cited Literature 1 is the fact that the narrow band wireless communications used in ETC are applied, and multiple sets of circuit side equipment are lined up in the forward direction of the vehicle.

As indicated in Figure 4 of Cited Literature 2, the fact that the front and back areas are overlapped, and if, in the region of overlap, 2 time-sharing frames are received and a new region is entered, the time-sharing frame transmitted there is the one received is well known as a communication system.

ETC systems to which DSRC is applied are indicated in Cited Literature 3 and 4.

Record of Prior Art Literature Search Results

Fields searched - IPC 7th Ed.

H04B7/24-7/26

H04Q7/00-7/38"

Applicant's statements regarding the Japanese Office Action are based on a partial translation that Applicant's representative obtained. These statements should in no way be considered as an agreement by Applicant with, or an admission of, what is asserted in the Japanese Office Action.

Applicant respectfully request that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Respectfully submitted,

November 13, 2003
Date

Phillip J. Articola
Phillip J. Articola
Registration No. 38,819

FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5143
Telephone: (202) 672-5300
Facsimile: (202) 672-5399